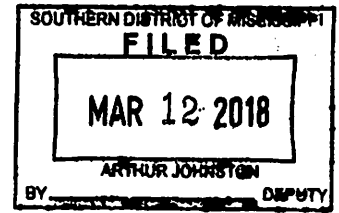


**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**



SHARON ARNEADER MCALLISTER, PROSE:

PLAINTIFF

VERSUS

CIVIL ACTION NO.: 3:17-cv-726-DPJ-FKB

UNITED STATES OF AMERICA

DEFENDANT

PLAINTIFF'S RULE 26(a)(1) DISCLOSURE STATEMENT

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and Rule 26(a)(1) of the Uniform Local Rules, Sharon Arneader McAllister of Jackson, Mississippi make the following Rule 26(a)(1) Initial Disclosure Statement.

GENERAL STATEMENTS

- A. The disclosures set forth herein constitute the best information presently available to Sharon Arneader McAllister. However, Sharon Arneader McAllister has not completed her discovery and/or investigation of the facts underlying this lawsuit, nor has she completed her preparation of this case for trial. Accordingly, these disclosures are provided without prejudice to Sharon Arneader McAllister's right to amend, supplement, or change said disclosures if and when additional, different, or more accurate information is identified or becomes available. Moreover, said disclosures are subject to correction for inadvertent errors or omissions, if any such errors or omissions are later found to exist.
- B. Each of the following Initial Disclosures are made subject to any and all objections, including, but not limited to, competency, materiality, relevancy, propriety, admissibility, or any other grounds that would require their exclusion in any proceeding. Any and all such objections and grounds are expressly reserved and may be interposed at the time of the trial. Sharon Arneader McAllister asserts unrepresented and work product privileges

as to any and all relevant documents which may exist and which are subject to these privileges. To the extent any such Initial Disclosure contains or refers to matters otherwise protected from discovery by the work product doctrine or the unrepresented privilege, no waiver is intended; nor is any waiver intended as to any other matters which are or may be subject to such protection or otherwise privileged; nor is the relevancy of any such matter conceded.

- C. Except for the explicit facts state herein, no incidental or implied admissions are intended. Sharon Arneader McAllister has submitted this Initial Disclosure Statement solely in compliance with the Federal Rules of Civil Procedure and this Court's Scheduling Order, and it is solely for the purpose of, and in relation to, this action.

DISCLOSURES

- A. The name and, if known, the address and telephone number of each individual likely to have discoverable information and a brief statement of each identified person's connection with the case, that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:**

Based on the information currently available, Sharon Arneader McAllister believes that the following individuals may have discoverable, non-privileged information on the designated subjects, but reserves the right to supplement these disclosures without waiver of any defense or evidentiary proof.

1. The Drug Manufacturer.

The Drug Manufacturer of the prescription drug Lorazepam that was used by the Department of Veterans Affairs and/or the Sonny Montgomery Veterans Health Administration and administered to Mr. McAllister from December 14, 2004

through May 7, 2013. They are a part of the chain of distribution of the drug Lorazepam to Mr. McAllister.

2. The Supplier.

The Supplier of the prescription drug Lorazepam that was used at the Department of Veterans Affairs and/or the Sonny Montgomery Veterans Health Administration and administered to Mr. McAllister from December 14, 2004-May 7, 2013. They are a part of the chain of distribution of the drug Lorazepam to Mr. McAllister.

3. Pharmaceutical sales representative.

The Pharmaceutical sales representative of the prescription drug Lorazepam that was used at the Department of Veterans Affairs and/or the Sonny Montgomery Veterans Health Administration and administered to Mr. McAllister from December 14, 2004-May 7, 2013. They are a part of the chain of distribution of the drug Lorazepam to Mr. McAllister.

4. Testing laboratory.

The testing laboratory of the prescription drug Lorazepam that was used at the Department of Veterans Affairs and/or the Sonny Montgomery Veterans Health Administration and administered to Mr. McAllister from December 14, 2004-May 7, 2013. They are a part of the chain of distribution of the drug Lorazepam to Mr. McAllister.

5. PTSD Expert.

United States of Veterans Affairs: The National Center for PTSD is dedicated to research and education on trauma and PTSD. VA's National Center for PTSD has emerged as the world's leading research and educational center of excellence on PTSD. This person has expert knowledge regarding PTSD in veterans.

6. Nurse Practitioner Barbara Frances Kendrick.

Barbara Frances Kendrick worked as Mr. McAllister's primary care nurse at the Sonny Montgomery Veterans Health Administration from 2009-2013. She has factual knowledge regarding Mr. McAllister's medical history, medical records and his head and neck complaints starting from 2010-2013.

7. Registered Nurse Mary R. Smith.

Mary R. Smith works in the Family Recovery Group at the Sonny Montgomery Veterans Health Administration with Mr. McAllister. She has factual knowledge regarding Mr. McAllister's alcohol abuse and illicit drug use.

8. Physicians/Staff.

The Department of Veterans Affairs and/or the Sonny Montgomery Veterans Health Administration physicians/staff who first became knowledgeable about the risks associated with benzodiazepines prescriptions, what they should have known and when. They have knowledge about the side effects, use and discontinuation use of benzodiazepines with PTSD veterans.

9. Supervisors.

Supervisors in a medical hierarchy at the Sonny Montgomery Veterans Health Administration from 2004-2013 responsible for the acts of other clinicians who provided Mr. McAllister the prescription drug Lorazepam. They have knowledge of physicians under their supervision.

10. Supervisors.

Supervisors with oversight and control over the clinicians being and supervised at the Sonny Montgomery Veterans Health Administration from 2004-2013 that provided the prescription drug Lorazepam to Mr. McAllister. These supervisors have direct knowledge of Mr. McAllister's Lorazepam drug prescription or indirect knowledge through a shared practice or supervisory relationship with another physician.

11. Physicians.

The Sonny Montgomery Veterans Health Administration physicians who were responsible for disclosing information about the drug Lorazepam to Mr. McAllister and his family and taking appropriate measures to redress and prevent future errors regarding administering Lorazepam. They have knowledge of the policies/guidelines regarding disclosing medical information to patients.

12. Physicians.

The Sonny Montgomery Veterans Health Administration physicians who prescribed/ordered the prescription drug Lorazepam to Mr. McAllister. They have knowledge as to their choice of prescribing/ordering the prescription drug Lorazepam and they are part of the chain of distribution of the drug.

13. Physicians and/or Education Director.

The Sonny Montgomery Veterans Health Administration physicians and/or Education Director responsible for providing continuing education, recommendations and medication algorithms promulgated by professional organizations. They have knowledge about policies/guidelines regarding clinicians staying current with the literature on medications prescribed in their field by reading authoritative texts and peer-reviewed journals.

14. Expert Witness.

If an Expert Witness is retained by, employed by, or otherwise subject to the control of the responding party. He has knowledge of all documents, tangible things, reports, model, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and the expert's current resume and bibliography.

15. Harbor House Chemical Dependency Services.

Harbor House Chemical Dependency Service is a not-for-profit community-based addiction treatment center that the Sonny Montgomery Veterans Affairs use to treat veterans. Harbor House has knowledge about Mr. McAllister's medical records, medical history and medical treatment with alcohol abuse and illicit drug use.

16. Physicians and/or Education Director.

The Sonny Montgomery Veterans Health Administration physicians and/or Education Director responsible for training physicians and other hospital staff on how to disclose medical errors. This person has knowledge regarding policies/procedures on how to disclose medical errors.

17. Physicians and/or Education Director and/or Staff.

The Sonny Montgomery Veterans Health Administration physicians and/or Educational Director and/or staff responsible for providing emotional support for physicians who make mistakes in their efforts to treat patients and save lives. This person has knowledge on hospital policies/guidelines for providing physician support.

B. A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

Based on the information currently available, Sharon Arneader McAllister believes that the following information may have discoverable, non-privileged information on the designated

subjects, but reserves the right to supplement these disclosures without waiver of any defense or evidentiary proof.

1. The VA/DoD Practice Guideline for PTSD 2004-2018.

The VA/DoD Practice Guideline for PTSD is a guideline that describes the critical decision points in the Management of Posttraumatic Stress Disorder and Acute Stress Reaction and provides clear and comprehensive evidence-based recommendations incorporating current information and practices for practitioners throughout the DoD and VA Health Care systems.

2. Health Services Research & Development Study.

Health Services Research & Development Study funded June 2011-September 2012 with Dr. Nancy C. Bemardy along with White River Junction VA Medical Center. The goal of this research was to develop strategies for the design and implementation of a training intervention program to decrease the use of benzodiazepines in PTSD veterans.

3. Willie Alexander McAllister's Vietnam Medical Records.

Mr. McAllister stated to the Department of Veteran Affairs when he was applying for his service connected disability that he began drinking alcohol when he enlisted into the Army. This information provides Mr. McAllister's profile and medical treatments.

4. Veteran Health Care Service Standards 2004-2018.

The Veterans Health Administration (VHA) Directive provides the policy for promoting and supporting a unified and comprehensive set of Veterans Health Care Service Standards (VHSS). This is in compliance with the requirements of Executive Order 12862, entitled "Setting Customer Service Standards," which calls for agencies to post customer service standards and measure results against those standards.

5. Willie Alexander McAllister's Harbor House Chemical Dependency medical records and medical history.

Harbor House Chemical Dependency Service is a not-for-profit community-based addiction treatment center that the Sonny Montgomery Veterans Affairs use to treat veterans. Harbor House has knowledge about Mr. McAllister's medical records, medical history and medical treatment with alcohol abuse and illicit drug use.

6. Re-evaluating the Use of Benzodiazepines.

VA U.S. Department of Veterans Affairs Re-evaluating the Use of Benzodiazepines is a quick reference guide. This information provides Tips for Benzodiazepine Withdrawal, Benzodiazepine Equivalent Doses and Example Taper, Potential Medication Augmentation Strategies for Benzodiazepine Withdrawal, Key Features of Anxiety and Trauma Related Disorders, Management of Anxiety and Trauma Related Disorders.

7. Contract.

The contractual relationship between the manufacturer of the prescription drug Lorazepam and the Department of Veteran Affairs and/or with the Sonny Montgomery Veterans Health Administration. This information will detail with whom a manufacturer has established an ongoing relationship to distribute such manufacturer's products.

8. Contract.

The contractual relationship between the supplier of the prescription drug Lorazepam and the Department of Veteran Affairs and/or with the Sonny Montgomery Veterans Health Administration. This information will detail who serves as a vital link in the healthcare system between manufacturers and healthcare providers.

9. Contract.

The contractual relationship between Harbor House Chemical Dependency Services and the Department of Veteran Affairs and/or with the Sonny Montgomery Veterans Health Administration. This information will detail the affiliation between Department of Veteran Affairs and/or with the Sonny Montgomery Veterans Health Administration and Harbor House Chemical Dependency Services in providing health care to veterans.

10. Sonny Montgomery Veterans Health Administration.

The Sonny Montgomery Veterans Health Administration policies and guidelines on disclosure of errors. This information provides policies and guidelines for physicians/staff when medical errors occur.

- C. A computation of any category of costs of these proceedings claimed by the disclosing party, making available for inspection and copying as under Rule 34, the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based including materials bearing on the nature and extent to the taxpayers:**

Sharon Arneader McAllister claim damages in the amount of \$20,000,000.00 (Twenty million dollars) for the wrongful death of Willie Alexander McAllister by the United States of America for their recklessness.

D. For inspection and copying as under Rule 34, any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

The potentially applicable declaration page is attached.

This, the 5th day of March 2018.

Respectfully submitted,

SHARON ARNEADER MCALLISTER

Unrepresented,

By: 
SHARON ARNEADER MCALLISTER

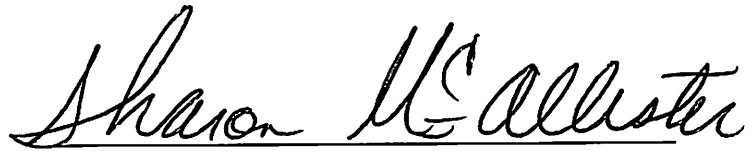
SHARON ARNEADER MCALLISTER
PO BOX 11462
Jackson, MS 39283
Telephone: (601) 238-2400

CERTIFICATE OF SERVICE

I, Sharon Arneader McAllister, Unrepresented, do hereby certify that I have this day served *Plaintiff Disclosure Statement* via United States mail, postage prepaid certified mail with return receipt:

DMichael Hurst
UNITED STATES ATTORNEY
Keith B. French, Jr. (MSB#104628)
Assistant United States Attorney
501 E. Court Street-Suite 4.430
Jackson, Mississippi 39201
601-973-2152 (Phone)
601-965-4409 (Fax)
E-Mail: keith.french@usdoj.gov

Dated: March 5, 2018.

A handwritten signature in black ink, reading "Sharon McAllister". The signature is written in a cursive style with a horizontal line underneath the name.

SHARON ARNEADER MCALLISTER

Unrepresented